



3722

PATENT
ATTORNEY DOCKET NO.: 056818-5026

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

)

Christoph WEDER, *et al.*

)

Application No.: 09/787,942

)

Group Art Unit:3722

Filed: September 7, 2001

)

Examiner: Willmon Fridie, Jr.

For: ANTIFALSIFICATION PAPER AND
OTHER ANTIFALSIFICATION ITEMS

)

Commissioner for Patents
Washington, D.C. 20231

Sir:

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TRANSMITTAL FORM

1. Transmitted herewith is a Response to Restriction Requirement responding to the Restriction Requirement dated February 11, 2003.
2. Additional papers enclosed:

- Drawings: Formal Informal (Correction)
 Information Disclosure Statement
 Form PTO-1449, _____ references included
 Citations
 Declaration of Biological Deposit
 Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.
 Supplemental Preliminary Amendment with Version With Markings To Show ChangesMade



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#10/Elections
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R. Kent
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In re Application of:)
Christoph WEDER, et al.)
Application No.: 09/787,942) Group Art Unit: 3722
U.S. National Stage Application of)
PCT International Application No.:)
PCT/CH99/00450)
Filed: September 7, 2001) Examiner: Willmon Fridie
For: ANTIFALSIFICATION PAPER AND)
OTHER ANTIFALSIFICATION ITEMS)

Commissioner for Patents
Washington, D.C. 20231

Sir:

RESPONSE TO RESTRICTION REQUIREMENT

In response to the Restriction Requirement dated February 11, 2003, where the Examiner required a restriction under 35 U.S.C. § 121 and 372 between the claims of Group I (claims 18-43) and Group II (claims 44-69), Applicants hereby provisionally elect Group I (claims 18-43) drawn to a security element. This election is made with traverse because of the following reason.

It is respectfully submitted that the subject matter of all claims 18-69 is sufficiently related that a thorough search for the subject matter of any one group would necessarily encompass a search for the subject matter of the remaining group.

Thus, it is respectfully submitted that the search and examination of the entire application could be performed without serious burden. M.P.E.P. §803 clearly states that "[i]f the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions." It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delays and expenses to the Applicants and duplicative examination by the Patent Office. Moreover, Applicants respectfully submit that in the Supplemental Preliminary Amendment concurrently filed herewith, claim 44 is amended to refer to claim 18, and claim 56 is amended to refer to claim 30.

The Examiner is respectfully requested to reconsider and withdraw the restriction requirement and to examine all claims in this application.



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SUPPLEMENTAL PRELIMINARY AMENDMENT

Sir:

Prior to an examination of the above-identified application on the merits, and further to the changes made in the Preliminary Amendment filed on March 23, 2001 in this application, please amend the application as follows:

IN THE CLAIMS:

Please amend claim 30 as follows:

30. (Amended) A security item comprising at least one security element having at least one photoluminescent segment with a linearly polarized absorption.